

1882-062 Chancery Cases: William Woodson vs. Juliana Snellan
Lee Co.

Hoskins

Will: 1842 : Arva Colson : Lee County

CA-Debt
T-Property

To the Hon. John A. Kelly Judge of the Circuit
Court of Lee County Virginia.

Humbly complaining your Orator William Woodson
a citizen of said County would respectfully show
unto your Honor that one Juliana Smellan widow
of James F. Smellan decd. is justly indebted to him
in the Sum of forty eight dollars and forty two cents
with legal interest thereon from the 15th day of Nov. 1880
till paid. to show which more fully your Orator States
that on the 15th day of November ¹⁸⁸⁰ ~~1880~~ the said Juliana
Smellan was indebted to your orator in said Sum of
\$48.42 and as evidence and acknowledgement thereof
she made signed executed and delivered to your orator on
that day her bond under seal, by which she bound
and promised to pay your orator one day after the
date thereof said Sum of \$48.48 for value received, and
said bond is herewith filed as a part of this bill marked (A)

Your orator further states that no part of the sum secured
by said bond has ever been paid to him, and that the
whole and every part thereof is now due and owing him

Your Orator further states that the said Juliana Smellan
is a non resident of the State of Virginia, and that
she is the owner in fee of an undivided fourth part
of a certain tract or parcel of land lying and being in

in said county of Lee about 6 miles east of Cumberland Gap
adjoining the lands of the late R. M. Elly, decd. James M. Wheeler
& others and contains about 100 acres, to show this more fully
Your Orator states that the said Juliana Snellman is a daughter
of one Arvey Balsom who departed this life many years
ago. after having made and published his last will and testament
a copy of which is herewith filed marked (B)

The said Arvey Balsom at his death left a widow Sarah Balsom
and four children his heirs at law and devisees under his will
of whom the said Juliana Snellman is one.

Your Orator further states that the said Arvey Balsom by his
said will devised to his said Widow Sarah Balsom the use
and benefit of said tract of land during her life or widowhood
and after her death to his children.

Your Orator further states that the said Sarah Balsom continued
the widow of said Arvey during life, and that she recently
departed this life, so that said land now belongs to the four
children of said Arvey or their descendants unincumbered
by said life estate of the said Sarah Balsom.

Your Orator states that the undivided interest of the said
Juliana Snellman in said tract of land consists of one fourth
part thereof. And he is advised that this interest is
liable to be applied by a court of equity to the payment
of his said debt interest and costs, and to attain that
end is the object of this suit.

Your Orator prays therefore is that the said Juliana Smallman
be made the party defendant to this Bill and be required
to answer the statements thereof on oath. That her undivided
interest in said tract of land be attached by process of
foreign attachment in this cause. That an order of publi-
cation be entered posted and published against her, and
that upon a hearing of the cause a decree be rendered
against her in favor of your Orator for \$48.42 with legal
interest thereon from the 15 day of Nov. 1880 till paid &
for the costs of this suit. And that the said defendants
interest in said land or so much thereof as is necessary
be decreed by your Honor to be sold to pay said debt interest
and cost. And for all other general relief may the
court direct the writ of Habeas corpus directed to.

Ayers & Morgan for Orff

Ork Clk \$3.79 July 1881

Hyatt 6 1.01

Estimate 2.50

A. 15.00

S. 60

Pr. 5.00

1881 25.40

76

26.56

52.41

78.87

Ork Clk 2.83

A. Clk 5.04

Co. Clk .65

A 15.00

S .60

Pr 5.00

\$29.82

(A+M)

William Woodson

vs. } Bill. Exp. + F. Attachment

Juliana Snellman

1881 June 28 Bill filed + Ord. Pub.

" July Exp. not executed

" Aug, Sept, & Oct. etc. entered
for Or. Pub.

1881 Nov. Or Pub completed
+ set for hearing by J. J. J.

1882 Mr. Decree Final

Chcy O. B. 232

Wm. Woodson Peff }
257. } In Lch
Julena Snellan Deft }

The counsel for the Peff admitting in open court that the debt on yesterday paid \$72. on the debt and on and the costs, and it appearing from a Statement filed in the cause signed D. 1 and calculation of the debt and costs that said payment pays the debt and costs except the sum of \$6.87 and the cause being argued by counsel, on consideration thereof it is adjudged ordered and decreed that the plaintiff recover of the debt \$6.87 ~~with~~ the balance of said debt and costs with interest thereon from March 29-1882 till paid and execution is awarded the plaintiff thereof and no further action being necessary the cause is stricken from the docket with leave to the plaintiff to have the same re-instated for the purpose of enforcing payment of said sum if it shall become necessary.

Wm Woodson

25 } Decennial

Juliana Sullivan

Entered Page 232

J. A. Hyatt Clerk
, , ,

Enter
Jm EAK
Mar 30/82

Wm. Woodson Plff }
 vs. } In Chancery
 Juliana Smallan Dft }

This cause came on this day to be heard, on the bill taken for confessed by the defendant and exhibit therewith and was argued by counsel. On consideration of the matters thereof it is adjudged ordered and decreed, that the plaintiff recover of the defendant the sum of \$48.42 the debt in the Plffs. bill mentioned, with legal interest thereon from the 15th day of Nov. 1880 till paid, and the costs of this Suit. And unless this sum interest and costs be paid to the Plff within 20 days from the rising of this court then that the defendants undivided interest in the tract of land in the bill mentioned ^{which has been attached in this cause for that purpose} be sold on a credit of 6 months with interest from day of sale, as to all ~~expenses~~ ^{the} costs of suit and sale which is to be paid in cash, or so much of said land as may be necessary for that purpose, and to effect this sale Henry J. Morgan is hereby appointed a com. for that purpose who will proceed to make said sale on the terms before indicated at the front door of the court house of Lee County on some court day after having advertised the time terms and place of sale for 30 days prior thereto by posting an advertisement for that purpose at the door of the court house of Lee County, and in the neighborhood where the land lies. He will report his action to the court at some future time. ^{the Plff.} But in order to entitle himself to the benefit of this decree is required to enter into bond with good security before the clerk of this court in the sum of \$200.00

Wm. Woodson

vs } Doene

Judson S. Sullivan

Entered on page 204-5

J. A. G. Hunt
Clerk

Enter
in
Apr 26/81

with constitution to perform such future order as may be made upon the appearance of the said defendant and her making defence, and the cause is continued

Wm. Woodson

vs.

Julena Snellan

Plff

Def

In Chancery

William Hoskins agent for William Woodson who is plaintiff in a certain chancery suit in the circuit court of Lee County Virginia defending against Julena Snellan on this day made Oath before the undersigned Clerk in chancery of said circuit court, that the claim for which said Woodson has instituted his said suit against the said Snellan is just and unpaid, that the plaintiff ought to recover in said suit against the defendants the sum of \$48.42 with legal interest thereon from the 15th day of Nov. 1880 till paid, that the plaintiff has present cause of action against the said defendants thereof, that said defendants Julena Snellan is not a resident of the state of Virginia, but that she is the owner of an undivided interest in a certain tract or parcel of land lying and being in said county of Lee containing about 100 acres, and that said interest consists of about one fourth part thereof, to the truth of these statements I do solemnly swear so help me god.

Wm Hoskins

Sworn to and subscribed before
me this 21st day of June 1881.

Harry J. Morgan Clerk

Wm. Woodson

vs { Affidavit

Juleena Snellan

\$48.⁴²

One day after date I promise
to pay Mrs Woodson sum Forty eight
Dollars and $\frac{42}{100}$ for value recd. and
in this note I waive my right
of the benefit of The Homestead
and all exemption laws given
under my hand and seal
Nov 15th 1880.

attest

Wm Jackson

Mrs Snelling

her
Juliana Snelling Seal
mark

Jelena Snelling
Is Note
\$48. $\frac{44}{100}$

(H)

A will of real and personal Estate.

I Arva Bolson of Lee County and State of Virginia do hereby make my last will and testament in manner and form following that is to say,

1st I desire that my mare and Colt one yoke of Oxen some young cattle and some young hogs and one mans saddle be immediately sold after decease and out of the monies arising therefrom all my just debts and funeral expences be paid.

2nd I give to my wife Sarah all the household furniture and the benefit of the plantation four milch cows one Brown Mare and Colt all the sheep & hogs and pigs and a sufficient number of hogs for bacon also the Bee gums, to have so long as she remains a widow and should she marry then to have her thirds and my heirs to have the benefit of the remainder of my estate to be equally divided among them, I do hereby constitute and appoint my friend William Thomson Executor of this my last will and testament in witness whereof, I have hereunto set my hand and affixed my seal this 1st day of October 1842.

Teste

Arva ^{his} Bolson
mark

Silvester Thompson

John Bolson

Richard Crabtree

Virginia

At a court being and held for Lee County at the Court House thereof on Monday the 17th of October 1842.

The last will and testament of Arva Bolson deceased was proved by the oaths of Silvester Thompson and Jno. Bolson witnesses thereto and is ordered to be Recorded, And on the motion of William Thompson, the executor therein named, who made oath thereto and together with Joshua Ewing, John Bolson and Silvester Thompson his securities entered into and acknowledged a bond in the penalty of \$500. conditioned as the law directs, certificate is granted for him for obtaining a probate of the said will in due form.

Teste J. W. S. Morrison Cl.
Acqfy, Leste. John R. Gibson Clerk.

For Recd. City 408

(J)

Arva Bolson
Last Will

Wm. Woodson debt vs. Juliana Snellen due Nov. 15 1880 for \$48.42

Interest on Same to March 29 1882 3.99

Add for costs of suit 26.46
78.87

March 29 1882 br by cash. 72.00

Bal due March 1882 6.87

R. A. Ayers & H. J. Morgan attos for

Self

(21)

Know all men by these presents
that we, Wm Woodson and
are held and firmly bound unto
Julena Snellan in the sum of Two
Hundred (\$200) Dollars, for the true
payment thereof well and truly to
be made, we bind ourselves jointly
and severally, firmly by these presents
and as to this bond we hereby waive
the benefit of our Homestead Exemption,
Witness our hands and seals, this 28th day
of Novr, 1881.

The conditions of the above bond is
such that the above bound Wm Woodson
lately instituted in the Circuit Court of
Lee County a Chancery suit against the
said Julena Snellan, which was so pro-
ceeded in, as that on the 26th day of Aug,
1881, a decree was rendered therein by
said Court, in favor of the Plaintiff
against said defendant, for the sum of \$48.
42 Cents. with interest thereon from the
15th Novr 2, 1880, till paid & the Costs of suit

And the said Court, further decreed
the sale of the said defendants land to
to be sold to pay said debt and costs,
but the plaintiff in order to entitle himself
to the benefit of the said decree, was required
by said Court to execute bond with secu-
rity in the sum of \$200.⁰⁰ with such con-
dition as the law requires.

Now if the said Wm Woodson shall
perform such future order as may be
made in said Cause upon the appearance
of the Defendant and her making defence
then this obligation to be void otherwise to
remain in full force.

Seal
Seal

Wm Woodson

vs B Bond

Indorsed Snellman

Lis Pendens.

William Woodson

vs.

Julena Snellum

Plff. In Chy. now pending in
the circuit Court of Lee
County Virginia
Def't

This ~~state~~ is the title of a cause now pending in the circuit Court of Lee County brought by William Woodson against Julena Snellum the object of which is to recover of the def't. \$45.42 with legal interest thereon from the 15 day of Nov. 1880 till paid and the cost, and to subject to the payment thereof the undivided interest of the said Def't in a tract of land of about 100 acres which has been attached for the purpose in this cause, and which land descended to the said Def't and three others from one Sarah. Colson dec'd.

The clerk of the county court of Lee County will record this paper in the deed book in his office and index the same in the name of Julena Snellum ad. Wm. Woodson

Wm. Woodson by his attorneys
Ayers & Morgan

Virginia. Lee county court clerk's office June 27, 1881
The foregoing suspensions against Julena Snellum was this day admitted to record in my office.

Test. James W. Orr clerk

Wm. Woodson

vs. { Sis Perdens

Juliana Smellum

Recorded in Seed Book
No. 19. Page 402

John C. Orr, D.C.

Notice

Wm Woodson

vs.

Julena Snellan

Plff

Def.

In Chy & foreign attachment

By virtue of a decree entered in the above styled cause on the 26 day of Aug^r 1881. appointing the undersigned a Special Commissioner to do so, I will proceed at the front door of the Court House of Lee County on the Tuesday after the third Monday in January 1882 that being County Court day to sell to the highest bidder the defendants undivided interest in the tract of land once owned by Arway Balswood, which descended to his heirs at law of whom the deft. is one. The interest here offered for sale consists of one fourth of said tract.

Terms of Sale

So much cash as will pay the costs of suit and Sale will be required to be paid in hand, and as to the residue a credit of 6 months time will be given with interest from day of sale, and the purchaser will be required to give bond with approved security for the deferred payments.

Henry J. Morgan Cant.

Nov. 29 - 1881.

Statement & Calculation

Decree in favor of Plff vs. Deft. with interest from Nov. 15/80 for	\$48.02
Interest on same to January 17 1882	3.38
Add for costs of Chy suit	25.30
Commission on \$80.10	4.00
	<u>\$84.10</u>

Notice

William Woodson Plff
 vs.
 Juliana Srellan Defth } In Chy Circuit Court
 See County

By Virtue of a decree entered in the above styled cause on the 26th day of Sept. 1881. appointing the undersigned a Special Commissioner to do so. I will proceed at the front door of the Court house of See County on the Tuesday after the third Monday in January 1882 that being County Court day to sell to the highest bidder, the defendants undivided interest in the tract of land once owned by Arwa Balsom dead & which descended to his heirs at law of whom defth is one

The interest here offered for sale consists of One fourth of said Tract,

Terms of sale

So much cash as will pay the costs of Suit and sale will be required to be paid in hand, And as to the residue a credit of 6 months Time will be given with interest from day of sale, and the purchaser will be required to give bond with approved security for the deferred payments,

Henry J. Morgan Court.

Nov. 29 - 1881.

Statement & Calculation

Decree in favor of Plff vs. Defth, with interest from Nov. 15 1880 for	\$48.42
Interest on same to January 17 1882	3.35
Add for costs of Suit.	28.30
Add for Commission on \$80.10 this sum	4.00
Total sum to be raised	\$84.10

Virginia. In the Clerk's office of the Circuit Court of Lee
County the 28th day of Novr, 1881.

William Woodson

Plaintiff

against

Julena Snellan

Defendant

} In Chancery.

The object of this suit is to recover the sum of \$ 48.42
with legal interest thereon from the 15th day of Novr
1880 till paid, and the costs of the suit, and to subject to
the payment thereof the land in the bill mentioned,
which has been attached for the purpose. And, it appearing
from an affidavit filed in the cause that the defend-
ant is not a resident of this State, it is ordered that
she appear here within one month after due publication
of this order and do what is necessary to protect her
interest in this suit.

A copy.

Teste - J. H. Hyatt Clerk.

I certify that on the 19 day of Decr, 1881, I posted a copy of the
within order at the front door of the Court house of Lee
County, Given under my hand Decr 20th 1881.

J. H. Hyatt Clerk

Wm Woodson

vs } Order. Pub.

Juliana Snellman

Book 10 Sentinel Court
28th Decr 1881.

J. H. Hyatt Clerk.

The Commonwealth of Virginia.

To *The Sheriff* of Lee County, Greeting:

We command you to summon

To appear at the Clerk's Office of the Circuit Court of Lee county, at the Court House, on the first Monday in *July*
next, being rule, to answer a bill in Chancery, exhibited in our said Court against *Her* by

And have then there this writ. Witness JAMES W. Orr, Clerk of our said Court, at the Courthouse, this *27th*
day of *June* 188*1*, in the 10⁵th year of the Commonwealth.

John C. Orr
Clerk.

A copy
Teste John C. Orr, Clk.

The proper affidavit having been made in this
cause the officer serving the writ in Spa. in ch. is
is ordered to attach the Veritate of the defendant in Lee
County, and the same in his hands so attached; so
to receive and provide that the same may be forth-
coming, and liable to the future order of the court

Este-James W. Orr, Clerk.

Acopy.

Este-John C. Orr, D.C.

The Commonwealth of Virginia.

To The Sheriff of Lee County, Greeting:

We command you to summon

Juliusa Swellam

To appear at the Clerk's Office of the Circuit Court of Lee county, at the Court House, on the first Monday in *July* next, being *day* rule, to answer a bill in Chancery, exhibited in our said Court against *her* by

William Hodson

And have then there this writ. Witness JAMES W. Orr, Clerk of our said Court, at the Courthouse, this *27* day of *June* 1881, in the 10th year of the Commonwealth.

John W. Orr, D. Clerk.

The paper affidavit having been made in this case
the officer serving the return shown chgs. ordered to
attach the estate of the defendant in Lee County and
the same in his hands so attached, so to secure and
provide that the same may be forthcoming and
liable to the future order of the Court.

Done - James Wm. Clark.

Wm Woodsan ^{Esq & Co}
vs } Spa. in chg
Juliana Snellan

To July Rules 1881.

Not Executed the party
Being a non resident
Thos S Ely S.C.C.
But I have voided the
order of attachment entered
herein On the undisturbed
interest of the defendant
in the tract of land in
the bill mentioned lying
and being in Lee Co Va.
June 28 - 1881

Thos S Ely S.C.C.

I hereby certify that the Chancery
Order of which the annexed is a copy
was printed four successive weeks
in the Lee Sentinel, a weekly
newspaper printed at Jarrsville
Va. publication ending Dec. 21, 1881.
Charles Willoughby, Printer

VIRGINIA:—In the Clerk's office of the
Circuit Court of Lee County, the 25th
day of November, 1881.

Wm. Woodson, Plaintiff, against Juliana
Snellan, Defendant.—In Chancery.

The object of this suit is to recover of the
defendant the sum of \$48.42, with legal in-
terest thereon from the 15th day of Novem-
ber, 1880, till paid, and the costs of the suit,
and to subject to the payment thereof the
land in the bill mentioned, which has been
attached for the purpose. And it appearing
from an affidavit filed in the cause, that the
defendant is not a resident of this State, it
is ordered that she appear here within one
month after due publication of this order and
do what is necessary to protect her interest in
this suit. A copy test:

J. A. G. HYATT, Clerk.

Dec. 2, -4w—\$5.

Wm. Woodson.

vs. } Pub. Cent.

Julena Sullen